

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

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01 COMMUNIQUE LABORATORY, INC.	)
	)
Plaintiff,	)
	)
v.	) Case No. 1:10-cv-01007-CMH-TRJ
	)
LOGMEIN, INC.	) JURY TRIAL DEMANDED
	)
Defendant.	)
	)

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**PLAINTIFF'S MOTION TO EXCLUDE DEFENDANT'S EXPERT TESTIMONY**

Plaintiff 01 Communique Laboratory, Inc. (“01”) respectfully moves this Court for an order, pursuant to the United States Supreme Court’s decision in *Daubert v. Merrell Dow Pharmaceuticals* and the Federal Rules of Evidence 402, 403, and 702, excluding certain expert testimony prepared by Defendant LogMeIn, Inc. (“LogMeIn”). In support of this Motion, 01 submits the accompanying Memorandum.

Date: February 22, 2013

/s/

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**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing Motion To Exclude Defendant's Expert Testimony has been served electronically, on February 22, 2013, to the following counsel of record:

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